

Joseph P. Schmitt  
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United States District Court  
Office of the Clerk  
United States Courthouse  
1 Courthouse Way, Suite 2300  
Boston, MA. 02210

December 10, 2004

RE: November 4, 2004 MOTION TO COMPEL  
Schmitt v. Smith, et al 04-10451-RWZ

Dear Clerk:

On November 4, 2004 I submitted a "Motion to Compel" dated November 4, 2004 to this office via pre paid first class mail. I cannot complete service on one defendant until this motion is ruled on by the court. I must conduct service within a certain time frame, but if the court does not rule on the noted motion service is impossible, and this would be a violation of my rights.

I ask that said motion be brought to the court's immediate attention for a ruling.

cc: JPS File,  
Philip W. Silva, Esq.

Sincerely  
Joseph P. Schmitt